

AN ORDINANCE

99270

GRANTING A LICENSE AGREEMENT TO THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT TO USE AND MAINTAIN AN EXISTING FOOTBRIDGE OVER A DRAINAGE EASEMENT PUBLIC RIGHT OF WAY AT THE LONGFELLOW MIDDLE SCHOOL CAMPUS AT 1130 EAST SUNSHINE DRIVE, IN NCB 8398, IN COUNCIL DISTRICT 7, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00.

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WHEREAS, the San Antonio Independent School District (SAISD), has requested a License for the right to use and maintain a footbridge over a drainage easement public right of way located approximately 166 feet, more or less, from the south right of way line of East Sunshine Drive, in Lot 72 Block H, NCB 8398, to connect separated portions of the Longfellow Middle School campus at 1130 East Sunshine Drive, thus allowing students to avoid walking in traffic on East Sunshine Drive to go from one portion of the campus to the other portion; and

WHEREAS, City staff recommends granting such a License for a 10-year term and a consideration of \$5,000.00; and

WHEREAS, City Council's approval of this Ordinance is consistent with the Code of the City of San Antonio and Ordinances for private use of City public rights of way ; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A License Agreement is hereby granted to the San Antonio Independent School District (SAISD) for the right to use and maintain a footbridge over a drainage easement public right of way located approximately 166 feet, more or less, from the south right of way line of East Sunshine Drive, in Lot 72 Block H, NCB 8398, to connect separated portions of the Longfellow Middle School campus at 1130 East Sunshine Drive, at the location shown in **Exhibit "A" to Attachment I referenced below**, for a ten year term, for the consideration of \$5,000. The City Manager or her designee is hereby authorized to execute a License Agreement, a copy of which, signed on behalf of the SAISD, is affixed hereto as **Attachment I** and incorporated herein verbatim for all purpose.

SECTION 2. The proceeds of these agreements shall be deposited into Fund 11-000 entitled "General Fund," Index Code 012732, entitled, "License Agreements - Use of ROW."

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance shall be effective on the 13th day of June, 2004.

PASSED AND APPROVED this 3rd day of June, 2004.

ATTEST:

City Clerk

M

A

Y

R

EDWARD D. GARZA

APPROVED AS TO FORM:

City Attorney